

***IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION***

MINUTE SHEET

UNITED STATES OF AMERICA

Date: January 12, 2010

vs.

Case No. 09-5022-01-CR-SW-RED

ROBERT JOOS

Honorable Richard E. Dorr, presiding at Springfield, Missouri

Nature of Hearing: Jury Trial Day 2

Time Commenced: 8:50 a.m. (8:30 a.m.) Time Terminated: 3:20 p.m.

APPEARANCES

Government's counsel: James Kelleher, AUSA; Kevin Farnsworth, Agent

Defendant's counsel: Darryl Brent Johnson, Jr., CJA APPTD

8:50 a.m. Informal conference held with court and counsel in conference room.

9:30 a.m. Counsel appear as indicated above. Dft present with counsel. Jury present.

Govt's case continues: Donald R. Hampton is sworn and testifies on direct and cross exams. Witness excused. 9:41 a.m. Nancy Manire is sworn and testifies on direct, cross and redirect exams. Witness excused. Govt rests. 9:48 a.m. Jury recesses. Dft's motion for judgment of acquittal at the close of Government's case (Dft's exhibit 1) is denied. The court advises the dft regarding his rights to testify. 9:54 a.m. Recess. 10:03 a.m. Informal conference with court and counsel in conference room. 10:11 a.m. Reconvene. Jury present. Dft's case: Robert Joos is affirmed and testifies on direct and cross exams. 11:27 a.m. Jury recesses for lunch. Dft's motion for judgment of acquittal at the close of all the evidence (Dft's exhibit 5) is denied. 11:33 a.m. Recess. Informal conference held with court and counsel re jury instructions. 12:00 p.m. Lunch recess.

1:00 p.m. Record made on jury instructions. 1:24 p.m. Jury instructions #8 through #19 are read by the court. 1:39 p.m. Closing arguments by counsel. 2:09 p.m. Alternate juror designated. 2:10 p.m. Jury retires to the jury room to deliberate. Legal issues by dft are stated on the record. (2:10 - 2:30 jury break.) (2:40 p.m. Jury notifies courtroom deputy that they have reached their verdicts.) 2:50 p.m. Reconvene. Jury returns into court their verdicts which are read by the court and filed herein. Jury polled at the request of defendant. Jury instruction #19 and special verdict read by the court. 2:57 p.m. Jury retires to the jury room to consider the special verdict. Record made on dft's pro se oral motion for judgment of acquittal notwithstanding the verdict. Motion denied. 3:01 p.m.

Recess. 3:10 p.m. Reconvene. Jury returns into court their special verdict which is read by the Court and filed herein. 3:15 p.m. Jury excused. PSI report ordered. Dft remains in custody.

WITNESSES: Donald R. Hampton, Nancy Manire, Robert Joos

COURT REPORTER: Jeannine Rankin

COURTROOM DEPUTY: Karen Siegert

LAW CLERK: Bryan Freres